

REMARKS

Claims 1 to 3 and 5 to 15 are in the application.

Reconsideration and withdrawal of the rejection of the claims 6 and 12 under 35 U.S.C. 112, first paragraph, are respectfully requested.

It is the Examiner's position that the feature of claims 6 and 12 of the present patent application that the waste water stream is converted into a concentrated salt solution "near the solubility limit of the metal salt" is not described in the disclosure of the present patent application. Applicants do not agree with the Examiner since on page 14, paragraph 2, of the present patent application it is described that the "stream containing metal salts which is supplied to the concentrator is concentrated as much as possible". One skilled in the art understands that "concentrated as much as possible" in the context of the treatment of the metal salt solution by the concentrator according to the present patent application means "concentrated to a solution near the solubility limit". Thus, the said feature stated in claims 6 and 12 of the present patent application is sufficiently described in the disclosure. Therefore, claims 6 and 12 do not require any modification.

Reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. 102(e) as being anticipated by Starcevic, are also respectfully requested.

Regarding the reference to Starcevic, the present patent application refers to a method, wherein the waste stream from the pickling bath to be recycled is separated in a suitable separating system into a first partial stream having the metal salts to be recycled and a second partial stream having free acids, which is conducted back into the pickling bath. The cited reference, however, discloses a method, wherein a first step comprises that the free acids of the waste stream are bonded by adding an aqueous ammonium solution, ammonia gas or ammonia providing compound to the waste stream and wherein the waste stream is separated into a first partial stream having high metallicity and a second partial stream having low metallicity, wherein in a second step the first partial stream is further processed by an acid regenerator to produce a concentrated acid stream which is returned to the pickling bath. Thus, the cited reference discloses a method comprising a step to produce a stream of free acids, which is conducted back into the pickling bath, is not disclosed in the cited reference. Thus, claim 1 of the present patent application is not anticipated by the cited reference. Accordingly, the dependent claims 2, 3, and 5 to 15 are also not anticipated.

Nevertheless, in order to make it clear that said separation of the waste stream into two partial streams is a separate step of the inventive method independent from step c) of originally filled claim 1 has been modified claim 1 of the present patent application such that the feature presently stated under c) that "the waste stream from the pickling bath to be bath to be recycled is separated in a suitable separating system into a first partial stream having the metal salts to be recycled and a second partial stream having free acids, which is conducted back into the pickling bath" recited in the modified claim 1 as a separate step d).

Furthermore, U.S. Patent 4,655,928 discloses a method for the treatment of a waste stream, wherein the method comprises a water splitting to produce acid, base, and deionate streams. However, in contrast to the present patent application, the cited reference does not disclose a method to separate water from a largely-acid free metal salt solution to obtain a concentrated metal salt solution. Furthermore, the cited reference does not disclose a method to supply the concentrated metal salt solution to a thermal method to obtain metal oxides and free acids. Thus, claim 1 of the present patent application is not anticipated by the cited reference. Accordingly, the dependent claims 2, 3, and 5 to 15 are also not anticipated.

Accordingly to the method of claim 1 of the present patent application, it is advantageously possible to produce an almost acid-free partial stream having the metal salts to be recycled from the waste stream of the pickling bath, wherein this partial stream can be advantageously processes by an evaporator such that the evaporator produces an almost acid-free damp phase from the partial stream. Thereby, it is advantageously possible to achieve reusable water. With regard to the cited reference such a method is not obvious. Therefore, the method of claim 1 of the present patent application is patentable over the art of record; in addition, the dependent claims 2, 3, and 5 to 15 are also patentable.

Reconsideration and allowance of the present application are respectfully requested.

Any fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

FRIEDRICH KUEFFNER

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Friedrich Kueffner
Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue
Suite 910
New York, N.Y. 10017
(212) 986-3114

Attorney for Applicant

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on June 15, 2010.

By: *Friedrich Kueffner*
Friedrich Kueffner

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